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HOUSE BILL 1173

43RD LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 1997

INTRODUCED BY

BEN LUJAN

AN ACT

RELATING TO PUBLIC SCHOOL CAPITAL OUTLAY; AMENDING A SECTION OF
THE NMSA 1978 PERTAINING TO PUBLIC SCHOOL CAPITAL OUTLAY GRANT
ASSISTANCE CRITERIA.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

Section 1. Section 22-24-5 NMSA 1978 (being Laws 1975,
Chapter 235, Section 5, as amended) is amended to read:

"22-24-5. FUND--DISTRIBUTION. --

A. The council shall approve an application for
grant assistance from the fund when the council determines that:

- (1) a critical need exists requiring action;
- (2) the residents of the school district have
provided available resources to the school district to meet its
capital outlay requirements;
- (3) the school district has used its resources

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1 in a prudent manner;

2 (4) the school district is in a county or
3 counties which have participated in a reappraisal program and
4 the reappraised values are on the tax rolls or will be used for
5 the tax year 1979 as certified by the property tax division of
6 the taxation and revenue department;

7 (5) the school district has provided insurance
8 for buildings of the school district in accordance with the
9 provisions of Section 13-5-3 NMSA 1978;

10 (6) at some point during the immediately
11 preceding three-year period, the school district [~~is indebted~~
12 ~~at~~] has been indebted at not less than seventy-five percent of
13 the total debt authorized by law; and

14 (7) the school district has submitted a five-
15 year facilities plan that includes enrollment projections.

16 B. The council shall consider all applications for
17 assistance from the fund and, after a public hearing, shall
18 either approve or deny the application. Applications for grant
19 assistance shall only be accepted by the council after a
20 district has complied with the provisions of this section. The
21 council shall list all applications in order of priority, and
22 all allocations shall be made on a priority basis; provided,
23 however, except in the case of an emergency, that the order of
24 priority shall first reflect those projects which have been
25 previously funded but are not as yet completed, excluding

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1 expansion of those projects and contingent upon maintenance of
2 the required local support.

3 C. Money in the fund shall be disbursed by warrant
4 of the department of finance and administration on vouchers
5 signed by the secretary of finance and administration following
6 certification by the council that the application has been
7 approved. "

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State of New Mexico House of Representatives

**FORTY-THIRD LEGISLATURE
FIRST SESSION, 1997**

March 7, 1997

Mr. Speaker:

Your EDUCATION COMMITTEE, to whom has been referred

HOUSE BILL 1173

**has had it under consideration and reports same with
recommendation that it DO PASS.**

Respectfully submitted,

Samuel F. Vigil, Chairman

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FORTY-THIRD LEGISLATURE
FIRST SESSION, 1997

HEC/HB 1173

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Adopted _____ Not Adopted _____

(Chief Clerk)

(Chief Clerk)

Date _____

The roll call vote was 10 For 0 Against

Yes: 10

Excused: Nicely, Weeks, Gonzales

Absent: None

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FORTY-THIRD LEGISLATURE
FIRST SESSION, 1997

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FORTY-THIRD LEGISLATURE
FIRST SESSION, 1997

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March 15, 1997

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10 Mr. President:

11

Your EDUCATION COMMITTEE, to whom has been referred

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HOUSE BILL 1173

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has had it under consideration and reports same with

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recommendation that it DO PASS.

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Respectfully submitted,

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Cynthia Nava, Chairman

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Adopted _____

Not Adopted _____

(Chief Clerk)

(Chief Clerk)

FORTY-THIRD LEGISLATURE
FIRST SESSION, 1997

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Date _____

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The roll call vote was 4 For 3 Against

8

Yes: 4

9

No: Rawson, Lopez, Nava

10

Excused: Boitano, Duran, Gorham

11

Absent: None

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